

RCE/3738#

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SEP-5 2001

RCE 3738 MAIL ROOM

D. Byrce

9/14/01

REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL

(Subsection (b) of 35 U.S.C. § 132, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.)

Address to: BOX RCE COMMISSIONER FOR PATENTS WASHINGTON, DC 20231	Application Number 09/029,872
	Filing Date June 29, 1998
	First Named Inventor: Pugh et al.
	Group Art Unit: 3738
	Examiner Name: P. Prebilic
Attorney Docket No. 3477-116	

This is a request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendments(s)/reply under 37 C.F.R. § 1.116 previously filed on May 29, 2001
- (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on __
- iii. ☐ Other __
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavits(s)/Declarations(s)
- iii. ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
- iv. ☒ Other Petition and Fee for Extension of Time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other __

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-0605.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
(\$710.00 large entity; \$355.00 small entity)
- ii. ☐ Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
- iii. ☐ Other ____
- b. ☒ Check in the amount of \$355.00 enclosed

Respectfully submitted,

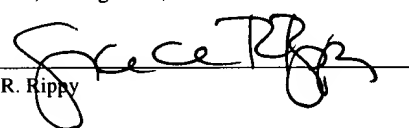


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Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box RCE, Commissioner For Patents, Washington, DC 20231, on August 31, 2001.



Grace R. Kippy

Attorney's Docket No. 3477-116

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Pugh et al.
Appl. No.: 09/029,872
Filed: June 29, 1998
For: ARTIFICIAL STABILIZED COMPOSITION OF CALCIUM
PHOSPHATE PHASES PARTICULARLY ADAPTED FOR
SUPPORTING BONE CELL ACTIVITY

Confirmation No.:
Group Art Unit: 3738
Examiner: P. Prebilic

August 31, 2001

Commissioner for Patents
Washington, DC 20231

REMARKS

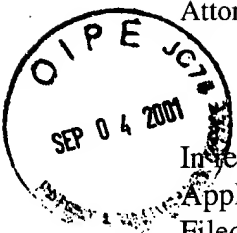
Sir:

This request for continued examination (RCE) is being filed in response to the final Office Action mailed June 29, 2001, in the present application. In accordance with 37 CFR Section 1.114, consideration and entry of the Amendment After Final, filed May 29, 2001, in the present application is respectfully solicited. A copy of Applicants' Amendment After Final is attached hereto for ease and reference by the Examiner.

Applicants note again their appreciation for the indication that Claims 10, 20 and 37 are allowed and respectfully request confirmation of the allowance of the same in this matter.

In addition, Applicants respectfully request consideration of the amendments presented in the Amendment After Final. These amendments highlight certain features of the claimed invention as discussed in the personal interview with the Examiner on April 24, 2001. Applicants submit that the claim amendments place this application into condition for allowance, which action is respectfully solicited. Should the Examiner have any questions or comments

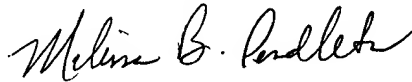
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In re: Pugh et al.
Appl. No.: 09/029,872
Filed: June 29, 1998
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regarding this matter, it is respectfully solicited that he contact the undersigned at his earliest convenience in order to expedite examination.

Respectfully submitted,

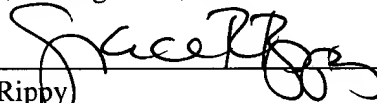


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Grace R. Rippey